

U.S. Serial No. 09/599,213

REMARKS

This paper is being submitted pursuant to a telephonic interview with Examiner Jarvis on June 12, 2002. During the interview, the examiner indicated that the amended and new claims presented herein would be allowable.

Claim 1 has been amended to incorporate the features recited claim 13. Claims 14 and 15 have been amended to now depend from amended claim 1.

Claims 13 and 32-38 have been canceled, without prejudice to filing a continuing application directed to the subject matter of these claims.

Claims 63-76 have been added and are either directly or indirectly dependent upon claim 39. Claims 63-76 mirror originally-filed, dependent claims 3-12 and 14-17.

No new matter has been introduced by this paper.

It is believed that no fees are due for the entry of the 14 new claims in view of payments previously submitted in connection with 14 originally-filed claims that were later withdrawn from consideration (and later canceled) pursuant to a restriction requirement dated August 21, 2001, an official action dated October 10, 2001, and an "Amendment 'A'" submitted March 25, 2002. Any deficiencies, however, or any additional required fee may be charged to our Deposit Account No. 13-2855.

Pursuant to 37 C.F.R. § 1.121, attached hereto are sheets (numbered as pages 6-8) showing the changes made to the claims by this amendment, the first sheet of which is captioned **"VERSION WITH MARKINGS TO SHOW CHANGES MADE."**

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CONCLUSION

In summary, the applicants respectfully request: (a) cancellation of claims 13 and 32-38; (b) entry of the amendments to claims 1, 14, and 15; (c) entry of new claims 63-76; and, (d) allowance of all claims pending after entry of the foregoing amendments (i.e., claims 1-12, 14-17, 39, 40, and 63-76).


Should the examiner wish to discuss the foregoing, or any matter of form or procedure in an effort to advance this application to allowance, he is urged to contact the undersigned attorney.

Respectfully submitted,

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By:



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In The Claims:

Please amend claim 1 as follows:

1. (Twice Amended) A method of treating an individual suffering from chronic pain, the method comprising the step of administering to the individual a therapeutically effective amount of a composition comprising [a compound having a pharmacological selectivity of serotonin (K_i)/norepinephrine (K_i) of at least about 5000] an optically pure (S,S) reboxetine, or a pharmaceutically acceptable salt thereof, said compound being substantially free of (R,R) reboxetine.

Please cancel claim 13, without prejudice.

Please amend claims 14 and 15 as follows:

14. (Amended) The method of claim [13] 1 wherein the pharmaceutically acceptable salt is a methanesulfonate salt.

15. (Amended) The method of claim [13] 1 wherein the optically pure (S,S) reboxetine or pharmaceutically acceptable salt thereof comprises at least about 90 wt.% of (S,S) reboxetine, and less than about 10 wt.% of (R,R) reboxetine, based on the total weight of the (S,S) and (R,R) reboxetine present.

Please cancel claims 32-38, without prejudice.

Please add new claims 63-76 as follows:

63. The method of claim 39 wherein said composition is administered in an amount of about 0.5 to about 8 mg/day.

64. The method of claim 63 wherein said composition is administered in an amount of about 0.5 to about 5 mg/day.

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65. The method of claim 64 wherein said composition is administered in an amount of about 0.5 to about 2.5 mg/day.

66. The method of claim 65 wherein said composition is administered in an amount of about 0.5 to about 0.9 mg/day.

67. The method of claim 66 wherein said composition is administered in an amount of about 0.5 to about 0.8 mg/day.

68. The method of claim 67 wherein said composition is administered in an amount of about 0.5 to about 0.75 mg/day.

69. The method of claim 39 wherein said composition is administered orally, topically, parenterally, transdermally, rectally, or vaginally.

70. The method of claim 69 wherein said composition is orally administered, and further comprising a pharmaceutically acceptable carrier selected from the group consisting of a binder, diluent, lubricant, disintegrating agent, effervescent agent, dyestuff, sweetener, wetting agent, and mixtures thereof.

71. The method of claim 70 wherein the oral administration is by a sachet, capsule, tablet, or aerosol spray.

72. The method of claim 69 wherein said composition is parenterally administered subcutaneously, intravenously, or intramuscularly.

73. The method of claim 39 wherein the pharmaceutically acceptable salt is a methanesulfonate salt.

74. The method of claim 39 wherein the optically pure (S,S) reboxetine or pharmaceutically acceptable salt thereof comprises at least about 90 wt. % of (S,S) reboxetine, and less than about 10 wt. % of (R,R) reboxetine, based on the total weight of the (S,S) and (R,R) reboxetine present.

75. The method of claim 74 wherein the optically pure (S,S) reboxetine or pharmaceutically acceptable salt thereof comprises at least about 97 wt. % of (S,S) reboxetine and less than about 3 wt. % of (R,R) reboxetine, based on the total weight of the (S,S) and (R,R) reboxetine present.



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76. The method of claim 75 wherein the optically pure (S,S) reboxetine or pharmaceutically acceptable salt thereof comprises at least about 99 wt. % of (S,S) reboxetine and less than about 1 wt. % of (R,R) reboxetine, based on the total weight of the (S,S) and (R,R) reboxetine present.